

DRAFT

**Criminal Justice Collaborating Council
Programs and Alternatives Standing Committee
Wednesday, February 11, 2009**

Peter Schuler called the meeting to order at 8:35 a.m.

Committee Members Present: Chair Peter Schuler, Rebecca Luczaj, Sara Carpenter, Dick Manke, Diane Kelsner, Susan Andrews, Jane Batha, Meg Schnabl, Mike DeMares, Claudia Roska.

Approval of Minutes 12-17-08

Dick Manke made a motion seconded by Sara Carpenter to approve the minutes of 12-17-08. The motion passed.

WCS 2008 Year-End Program Update

Sara Carpenter reviewed the month of December 2008 statistics and 2008 year end statistics for a number of the CJCC programs. Everyone received these documents via e-mail in the afternoon following the meeting. In order to avoid duplication of the statistics in another document, statistical pages will be attached to these minutes. For areas where there was discussion, that will be included in these minutes.

Alcohol Treatment Court Program

Carpenter began with the review of the Alcohol Treatment Court Program. She reviewed statistics. Once a client gets through the initial period of SCRAM and they reach a point of stabilization then the EDAC testing process begins and all participants go through the program having to comply with 4 EDAC tests which monitors their sobriety long term. Under the yearly statistics for discharges from the program, a team decision to discharge a client occurs when a client shows continuous non-compliance. There were 2 discharges year to date for that reason.

Waukesha Pre-trial Intoxicated Driver Intervention Program (OWI Program)

This program provides monitoring and supervision services to repeat drunk drivers in Waukesha County and to nine surrounding counties who are charged with drunk driving in Waukesha County. Carpenter began with the statistics for December 2008. The fast track program started around 2000 to 2001. The goal is to get offenders into treatment sooner when they are more vulnerable to relapse. Prior to the fast track program a person would be arrested and released then wait up to 45 days before appearing in court. According to Kelsner it is very difficult to get this done from a business standpoint. She would like to see this put on a future agenda and get a group together to identify ways to make this run smoother. They meet the demands right now, but when the weather warms up, we will see a lot more OWI charges. It is one of those "pinch points" and is worth some discussion. The courts want to reduce some of the effort they have to make to keep all these agencies in the loop for the fast track program. Commissioner Binn hears the Tuesday afternoon fast track cases. They were thinking about holding some of the hearings early in the day, but the DA's office cannot get them done in time. Getting the history ahead of time, signature by the arresting officer, getting information into CCAP, etc. There is a lot of

work in getting all this information together. Carpenter suggested bringing this up at the Pretrial Subcommittee because all the right people are there who could look into this problem. Schuler stated maybe inviting someone from DOA - an analyst to see how operations are going. The County Board and DOA need to be educated as to how much work is involved. We cannot keep going at this pace, and yet this is what it will take to run this program. Schnabl suggested we map what we need with the other departments so we can see where the problems are and educate ourselves as well.

Roska is looking for statistics on how much jail time is proven to be a deterrent and what effect, if any, does it have on reducing repeat OWI's. The DOT might have this information. If longer jail time does not make a difference in the recidivism rate of OWI offenders, then why crowd the jail with repeat offenders? Kelsner feels we should target the first time offenders; there are many underage drinking tickets. There are many first offenders, but repeat offenses decrease in comparison. Carpenter said that even increased penalties do not help lower the numbers either. Kelsner is surprised there is not more programming for first time offenders. By the time a client gets to the fourth offense there is really an issue. Education at an early level should help. Roska said there are so many first offenders that you cannot get enough speakers together for Victim Impact Panels to be able to educate them. We do not have the resources for first time offenders as it would take a substantial amount of funding to target this group. Roska stated there is a Crime for Life program at ARC and many states use this program for group dynamics for their Intoxicated Driver Program. ARC does this for underage drinkers through the Police Department but they could use this for underage drivers and/or for adults as well. They are also working with the Juvenile Diversion Program through UW-Extension and will be offering Crime for Life for that group. It has been proven to reduce problematic drinking. It is not treatment, but education. Schuler stated that research so far would indicate that if you are working with someone with a third offense you have to assume addiction. Schnabl said they are holding a larger numbers of OWI offenders in the jail and there is no treatment available and they have a high need. Following the above discussion, Carpenter reviewed the remainder of the year to date statistics.

Pre-trial Supervision Program (WCS Waukesha Pretrial Status Report)

Carpenter read through the statistics for the above program. Schnabl asked how they figure out the jail days saved. Carpenter said there is a formula they worked out with the District Attorney's office based on compliance in the program and the days they might have spent in jail had the program not been available to them. She does not have the specifics with her, but will make them available to Committee members for the pre-trial drunk driving program and the pre-trial supervision program.

Waukesha County Day Report Center

This program has proven to be very successful in serving both referral tracks – direct court referrals and Huber inmates with the opportunity to serve the remainder of their time in the community. A risk assessment is conducted for all referrals. This program makes service referrals and provides direct assistance. Clients are assessed to be on EM (electronic monitoring) only or need a little more accountability and supervision. Carpenter then went over the statistics for the month of December 2008 and then the YTD figures. DeMares asked if all cases are unduplicated and Carpenter said this is something WCS is working on for their statistics.

Schnabl stated that the majority of the Day Report clients have been in Pre-Trial. Some people have been in several programs. Carpenter stated that the success rate of Day Report is 90% partly because of the close positive relationship that WCS staff have with the jail staff and working with community partners – many of these clients have multiple issues.

Schuler stated that in April and May we will have to finish reviewing all the programs. We will need to review the AODA program in the jail and possibly have Barbara Nordberg from WCTC come in to present ABE program outcomes. By May, we have to determine what we need to keep going and what resources we need because in June, the budget targets will be announced. The group will also have to start discussing long-term plans for space when the planning starts for the new HHS building project.

OAR Program (Drivers License Reinstatement Program)

The main goal of this program is to reduce the court calendar congestion that the system sees with OAR cases. The program works to move these cases through the system at a faster rate by working with the individuals facing OAR charges and assisting them to reinstate their driver license. Carpenter reviewed the statistics for December 2008 followed by the YTD figures. 992 individuals with OAR charges failed to appear in court. This has been an ongoing issue and there have been discussions with the Pretrial subcommittee group for at least 2 ½ years and it looks like we are moving in the right direction with some good ideas to reduce that FTA rate. For example, having the officers who issue the citations give defendants an informational sheet because often times they do not realize there is a mandatory court appearance. The D.A.'s office has been working on some new OAR policies that were effective 10/1/08 to more efficiently move these cases through the court system. One of the specifics is to offer more opportunities to amend, non-aggravated OAR cases for first offenders. These new policies seem to be working fairly well so far. They have had positive feedback from the DA's office, Commissioners and Public Defender's Office. Information is provided to the court on the status of individual, whether they are eligible to reinstate, or not eligible to reinstate anytime soon.

Alcohol Treatment Court Fee Workgroup Update

Luczaj distributed a handout to all in attendance regarding the Alcohol Treatment Court Fee Workgroup. Their assignment was to begin work on the potential fees for Alcohol Treatment Court. With the expiration of the federal implementation grant at the end of May 2008, we will be free to make any adjustments or changes to the rules and regulations we want to apply in the program. The only restriction we might have is the expansion grant and its focus area. The fee system should be established so that anyone can participate in the program regardless of his or her income. They came up with a monthly amount with a maximum of \$200, based on their ability to pay. Schuler stated that the Public Defender's Office has an even more in-depth fee schedule and that has been used by WCS to determine if someone is able to pay or not. Details are included on the workgroup sheet attached to these minutes. The Alcohol Treatment Court fee will be an entirely separate bill from any other services they are receiving from the county.

Update on CJCC Committees and Workgroups

This agenda item is being tabled for a future meeting.

Manke asked if there are any County Board Supervisors on any of the CJCC Committees. Luczaj stated that Marcia Jante has approached some for involvement in the Education and Public

Relations Committee. Luczaj stated that some supervisors currently sit on standing committees of the CJCC. Carpenter and Luczaj have both given updates to the Judiciary and Law Enforcement Committee. Schuler stated we should probably make the rounds in April or even May to the different county board committees. Schuler also proposed that Luczaj collect questions from county board supervisors that they would like to have answers to. At the CJCC Executive Committee meeting on Monday, Luczaj updated members on the upcoming CJCC Strategic Planning and distributed a list of invitees to make sure we have representatives from all disciplines. Judge Davis recommended having an ex-offender at the Strategic Planning session.

The meeting adjourned at 10:28 a.m.

Minutes recorded by Kathy Leach

Approved on _____
Date